

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.17380 of 2006

Dated: 23.08.2006

Between

B.Ravi Kumar

.....Petitioner

and

1. The District Collector, Vizianagaram
and others.

....Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.17380 of 2006

ORDER

It appears that the petitioner is a fair price shop dealer for Shop No.27 at Vizianagaram. His authorization was cancelled by the Revenue Divisional Officer, Vizianagaram vide proceedings in Rc.No.2689/04 H, dated 2.5.2005. Aggrieved by the same, the petitioner filed an appeal before the 2nd respondent-Joint Collector, Vizianagaram. The Joint Collector though granted stay of the orders passed by the Revenue Divisional Officer during the pendency of the appeal, later dismissed the appeal by his proceedings dated 5.2.2006. Infact, aggrieved by the orders passed by the Joint Collector on 5.2.2006, the petitioner had already filed a statutory revision before the District Collector and the same is pending. Apart from filing the revision before the District Collector, he has also filed the present writ petition challenging the said proceedings of the Joint Collector dated 5.2.2006 confirming the orders passed by the Revenue Divisional Officer.

I am of the opinion that once a statutory revision is pending, the writ petition cannot be entertained.

The learned counsel for the petitioner states that in view of the stay granted by the Joint Collector, during the pendency of the appeal, the petitioner has been distributing the essential

commodities. Even as of now, the stay petition preferred by the petitioner along with the revision before the District Collector has not yet been disposed of.

In view of the above, without expressing any opinion on merits, if the petitioner is continuing as a fair price shop dealer and is running the business as of now, he may be permitted to run the same, during the pendency of the revision before the District Collector.

With the above observation, Writ petition is disposed of.
.No costs.

23.08.2006

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